IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1219 OF 2002

Shabbir Mohammed Hussain Shaikh ...Appellant/
(Ori.Accd.No.3)

Versus

The State of Maharashtra ...Respondent

AND

CRIMINAL APPEAL NO.1220 OF 2002

Javed Mohammed Ommer Patani @ Khalid...Appellant/
(Ori.Accd.No.4)

Versus

The State of Maharashtra ...Respondent

AND

CRIMINAL APPEAL NO.1221 OF 2002

Mohammed Yusuf Hassan Shaikh @ Tarbez..Appellant/
(Ori.Accd.No.5)

Versus

The State of Maharashtra ...Respondent

.....

Mr.Girish Kulkarni with Mr.Kafil Khan for
Appellants in Cri.Appeal Nos.1219/02 & 1221/02.

Mr.Dipam D.Kathrani i/b Mr.Indrajeet Joshi
for Appellant in Cri.Appeal No.1220/02.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent
in all the Appeals.

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CORAM: A.M.KHANWILKAR, J.

AUGUST 25, 2006.

P.C.

1. For the reasons separately recorded in the Oral Judgment pronounced in open Court today, following operative order is passed:

> "Appellants/Accused Nos.3 to 5 are convicted for the offence punishable under Section 120B (charge Firstly) and Section 353 read with Section 120B of the Indian Penal Code (charge Sixthly) and each of them are sentenced to suffer rigorous imprisonment for two years for the respective offences and to pay a fine of Rs.25,000/- (Rupees Twenty-five Thousand) each. In default of payment of fine, to suffer further rigorous imprisonment of three months by each of them.
>
> Substantive sentences for the respective offences to run concurrently.

The Appellants/accused Nos.3 to 5 are acquitted of offences under Section 3(1)(ii) and Section 3(2) of the Maharashtra Control of Organised Crime Act, 1999.

If the Appellants/accused Nos.3 to 5 have already undergone the sentence awarded hereinbefore, they shall be set at liberty forthwith."

. All concerned to act on an ordinary copy of this operative order, duly authenticated by the Office.

A.M.KHANWILKAR, J.